

Emblem
Tax Increment Finance Plan

DRAFT FOR PUBLIC COMMENT AND REVIEW
NOT ADOPTED



CITY OF BEND

BUILDING ON OUR PAST
SERVING THE PRESENT
SHAPING BEND'S FUTURE

LIST OF PARTICIPANTS

Mayor

Melanie Kebler

Mayor Pro tem

Megan Perkins

City Council

Gina Franzosa

Ariel Méndez

Mike Riley

Megan Norris

Steve Platt

Planning Commission

Margo Clinton, Chair

Scott Winters, Vice-Chair

Bob Gressens

Suzanne Johannsen

John LaMotte

Erin Ludden

Nathan Nelson

City Manager

Eric King

City Finance Director

Samantha Nelson

City Attorney

Ian Leitheiser

Senior Assistant City Attorney

Elizabeth Oshel

Real Estate Director

Matt Stuart

Urban Renewal Manager

Jonathan Taylor

Planning Manager

Renée Brooke

Housing Manager

Racheal Baker

Bend Urban Renewal Agency

Mike Riley, Chair

Gina Franzosa, Vice-Chair

Ariel Méndez

Megan Norris

Steve Platt

Melanie Kebler

Megan Perkins

Core Area Advisory Board

Corie Harlan, Chair

Dale VanValkenburg, Vice-Chair

Dawn Cofer

Hank Kamakaala

James Teeter

Jeff Baker

John Fischer

John Heylin

Katherine Austin

Bend Economic Development Advisory Board

Gary North, Chair

DaWayne Judd, Vice-Chair

Briana Manfrass

Jenn Lynch

Jillian Taylor

Mark Kroncke

Petra Oroslanova

Ryan Andrews

Tierney Booker

Affordable Housing Advisory Committee

Mandy Dalrymple

Alison Hohengarten

Ian Karasz

Tony Levison

Isabel Mikovich

Richard Reese

Helen Silfven

Heather Simmons

Geoff Wall

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I. DEFINITIONS

“Agency” or “BURA” means the Bend Urban Renewal Agency. The Agency is responsible for administration of this Emblem TIF Plan and other TIF plans previously adopted in the City of Bend.

“Annual report” is the report required by ORS 457.460 that is filed with the City of Bend and distributed to the taxing Areas.

“Area” or “TIF Area” or “Plan Area” means the tax increment finance Area established for this Plan pursuant to ORS chapter 457, and described in Section XIII of the Plan, below, including the properties and rights-of-way located therein.

“Area Median Income” or “AMI” means the Area median income as determined by the most recent United States Department of Housing and Urban Development for the Bend Metropolitan Statistical Area at the time of the household’s application for housing.

“Blight” is defined in ORS 457.010(1)(a-i) and identified in the ordinance adopting a TIF plan.

“Board of Commissioners” means the Deschutes County Board of Commissioners.

“City” means the City of Bend, Oregon.

“City Council” or “Council” means the Bend City Council.

“Comprehensive Plan” means the City of Bend Comprehensive Plan and its implementing ordinances, policies, and standards.

“County” means Deschutes County, Oregon.

“Fiscal year” or “FYE” means the year commencing on July 1 and closing on June 30.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within a TIF Area at the time of adoption. The county assessor certifies the assessed value after the adoption of a TIF Area plan.

“Increment” means that part of the assessed value of a taxing Area attributable to any increase in the assessed value of the property located in an urban renewal Area, or portion thereof, over the assessed value specified in the certified statement from the assessor (frozen base).

“Maximum indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness. The maximum indebtedness for this Plan is \$22,102,251.

“More Affordable Housing” is housing that is rented at rates equal to or less than 30% of household income to households earning 90% of Area median income (AMI) or less. It assumes housing is available to residents at a range of incomes, at or below 90 percent of AMI.

“Municipality” means any county or any city in the state of Oregon.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal.

“Plan” or “Emblem District TIF Plan” or “TIF Plan” means the adopted plan for the TIF Area pursuant to ORS chapter 457.

“Planning Commission” means the Bend Planning Commission.

“Policy” means the Policy for Tax Increment Assistance for Housing Affordability and Employment Growth adopted by BURA Resolution No. 158 on October 16, 2024.

“Policy Justification” means a document with an analysis of the local housing and employment market for the City of Bend used to establish policy parameters for the Tax Increment Assistance for Housing Affordability and Employment Growth.

“Project(s)” or “TIF Project(s)” means any work or undertaking carried out under Emblem TIF Plan.

“Report Accompanying EmblemTIF Plan” or “Report” means the official report that accompanies the Emblem TIF Plan pursuant to ORS 457.087.

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470.

“Tax increment” means that part of the assessed value of a taxing Area attributable to any increase in the assessed value of the property located in an urban renewal Area, or portion thereof, over the assessed value specified in the certified statement.

“Tax increment finance area” or “TIF Area” means a blighted Area included in a TIF plan.

“Tax increment finance area plan” or “TIF plan” means a plan, as it exists or is changed or modified from time to time, for one or more TIF Areas, as provided in ORS 457.

“Tax increment finance area project(s)” or “TIF Area project(s)” or “project(s)” means any work or undertaking carried out under ORS 457.170 and ORS 457.180 in a TIF Area.

“Tax increment finance area report” or “report” means the official report that accompanies the TIF plan pursuant to ORS 457.087.

“Tax increment finance” or “tax increment financing” or “TIF” means the funds that are associated with the division of taxes accomplished through the adoption of a TIF plan.

“Tax increment revenues” means the funds allocated by the assessor to renewal TIF Area due to increases in assessed value over the frozen base within the Area.

“UGB” means urban growth boundary.

“Urban Renewal” means the statutory authority provided in ORS 457. In this Plan it is synonymous with TIF.

Note on language: This Plan, wherever applicable and permissible, uses the term Tax Increment Finance or TIF rather than “urban renewal”. The term TIF is used consistently in other parts of the nation and does not evoke past practices of other urban renewal agencies throughout the country wherein minorities and vulnerable populations were displaced to clear the way for redevelopment. This Plan aims to avoid those connotations and has been created with intention to avoid those outcomes. Utilizing the term TIF does not affect the statutory authority of ORS 457, as it relates to this Plan.

II. INTRODUCTION

This Emblem District TIF Plan was developed for the Bend City Council based on the Policy for Tax Increment Assistance for Housing Affordability and Employment Growth adopted by BURA Resolution No. 158 on October 16, 2024, to support the development of new multi-unit housing with minimum numbers of more affordable units by providing development assistance in existing or through the creation of new TIF Areas. The Policy was developed with input from BURA and the City advisory bodies – Core Area Advisory Board, Bend Economic Development Advisory Board, and the Affordable Housing Advisory Committee. This Plan was developed with public input at BURA meetings, a Planning Commission meeting, and meetings of the Bend City Council. This Plan will go into effect following adoption by the City Council.

A. Background

The Bend Urban Renewal Agency's Policy Justification for the Policy noted:

Bend has a very low residential vacancy rate and many households are spending more than 30% of their household income on housing costs. An average individual/household would need to make \$72,000 to not be cost burden to afford current market rent. Currently, 81% of occupations in the Bend Redmond MSA cannot adequately support market rate rent on a single income. Those making \$43,000 or less account for nearly 50% of total employment. The number of Bend households that cannot adequately afford market rate rent is 45%.¹

Providing incentives for housing affordability starting at 90% Area median income for multi-unit rental units, with additional incentives for developments meeting certain energy efficiency and supplier diversity criteria, will assist in meeting the City of Bend's affordable housing and other Council goals.

The City of Bend currently incentivizes housing affordable to households making 60% and 80% AMI or less through its Non-Profit and Qualifying Rental Property Tax Exemptions. This Plan and Projects incentivize creation of additional units of market rate housing integrated with units that are affordable to households making 90% AMI or less.

ORS chapter 457 allows for the use of tax increment revenues, a financing source that is unique to TIF Areas, to fund projects within a specific boundary. Tax increment revenues - the amount of property taxes generated by the increase in total assessed values within a TIF Area from the time an Area is first established - are used to repay borrowed funds or meet contractual obligations. The borrowed funds and contractual obligations fund projects within an Area that meet the goals of the plan and cannot exceed the maximum indebtedness amount set by a TIF plan.

The purpose of a TIF area is to improve specific areas of a municipality that are poorly developed or underdeveloped, called blighted areas in ORS chapter 457. These areas can

¹ Bend Urban Renewal Policy Justification for the Tax Increment Assistance for Housing Affordability and Employment Growth, presented on August 7, 2024

have property that is undeveloped or underdeveloped, old or deteriorated buildings, streets and utilities in poor condition, a complete lack of streets and utilities altogether, or other obstacles to development. In general, TIF area projects funded with tax increment can include construction or improvement of streets, utilities, and other public facilities, assistance for development, rehabilitation or redevelopment of property, and improvements to public spaces.

The Bend Urban Renewal Agency's Policy allows the creation of TIF areas consisting of a single or small number of tax lots in the City currently not included in an existing tax increment area to support construction of new housing that includes More Affordable Housing, for households earning 90% AMI or less.

The development assistance for the project in the new TIF area may consist of a rebate of a portion of the tax increment to the property owner in exchange for making a minimum percentage of units available to households earning 90% AMI or less at rents affordable to those households, and agreeing to limit annual rent increases to lower than the maximum rental increases allowed under ORS 90.323 for those rent restricted units. The actual rebate amount and number of affordable units in the development will be set in an agreement between BURA and the property owner and based on the Policy for Tax Increment Assistance for Housing Affordability and Employment Growth, consistent with the provisions of this Plan.

This Plan will support the development of housing that includes More Affordable Units and the other requirements of the Policy, in an Area known as Emblem, shown in Figure 1.

The Plan reflects input from the community received at public meetings at the Agency and hearings before the Planning Commission and the City Council.

The Plan is anticipated to last 26 years, resulting in 24 years of tax increment collection.

The Plan is to be administered by the Agency. Substantial amendments to the Plan must be approved by City Council as outlined in Section VII of this Plan. All amendments to the Plan are to be listed numerically on the inside cover of the front page of the Plan and then incorporated into the Plan, document and noted by footnote with an amendment number and adoption date.

The relationship between the sections of the Plan and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Plan that primarily addresses the statutory reference. There may be other sections of the Plan that also address the noted statute.

Table 1 - Statutory References

Statutory Requirement	Plan Section
ORS 457.085(2)(a)	V, VI
ORS 457.085(2)(b)	V, VI
ORS 457.085(2)(c)	XIII

ORS 457.085(2)(d)	XII
ORS 457.085(2)(e)	XI
ORS 457.085(2)(f)	IX
ORS 457.085(2)(g)	VIII
ORS 457.085(2)(h)	III
ORS 457.085(2)(i)	VII

B. TIF Area Overview

The Emblem TIF Plan Area shown in Figure 1, consists of approximately 8.38 total acres.

This TIF Area meets the definition of blight due to a lack of infrastructure systems and the undeveloped status resulting in the unproductive land that is potentially useful and valuable for contributing to the public health, safety, and welfare as the location of new housing units, and impaired investments. These blight conditions are specifically cited in the ordinance adopting the Plan and described in detail in the Report.

The Report contains the information required by ORS 457.087, including:

- A description of the physical, social, and economic conditions in the Area;
- The expected impact of the Plan, including fiscal impact in light of increased services;
- Reasons for selection of the Area;
- The relationship between each Project to be undertaken and the existing conditions;
- The estimated total cost of each Project and the source(s) of funds to pay such costs;
- The estimated completion date of each Project;
- The estimated amount of funds required in the Area and the anticipated year in which the debt will be retired;
- A financial analysis of the Plan;
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the Area; and
- A relocation report.

III. MAXIMUM INDEBTEDNESS

Maximum indebtedness is a legal term for the total amount of money that can be spent on projects, programs, and administration throughout the life of the Plan. The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon good faith estimates of the scope and costs of projects in the Plan and the schedule for their completion,

is \$22,102,251 (Twenty-Two Million, One Hundred and Two Thousand, and Two-Hundred and Fifty One Dollars). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness, or interest earned on bond proceeds. The projects under this plan are not anticipated to be financed through bonds, but primarily through rebate of property taxes paid.

IV. PLAN GOALS

The goals of the Plan represent its basic intent and purpose. The TIF Projects identified in Sections V and VI of the Plan are specific means of meeting the goals. The goals will be pursued as economically as is feasible and at the discretion of the Agency.

A. Housing Development

To increase the supply of housing by providing financial incentives for the development of housing in the City of Bend.

B. Encourage More Affordable Housing

To increase the supply of more affordable housing options by providing financial incentives for the development of more affordable housing in the City of Bend.

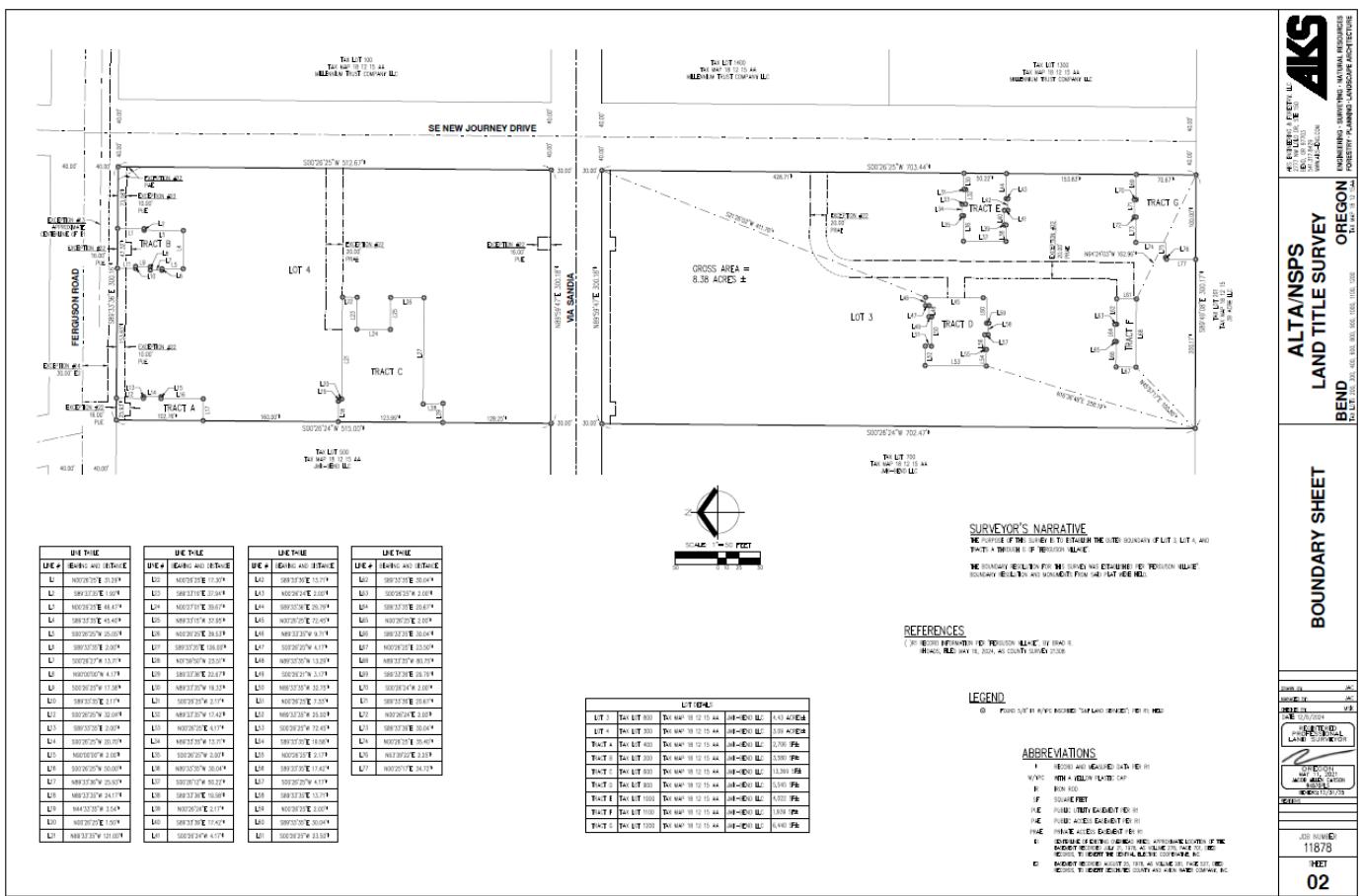
C. Encourage Energy Efficiency Housing

To increase the number of energy-efficient certified housing projects by providing financial incentives for the utilization of energy efficiency standards in the construction of housing projects that lower overall housing costs for households and reduce carbon emissions.

D. Administration.

To provide administrative support for the implementation of the Plan.

Figure 1 – Emblem District TIF Area Boundary



Source: City of Bend

V. TIF AREA PROJECT CATEGORIES

To support the Plan Goals described in the previous section, the Projects within the Area fall into the following categories:

A. Housing Development and Development Incentives, Partnership, and Support

B. Plan Administration, Implementation, Reporting, and Support

VI. TIF AREA PROJECTS

The Projects authorized by the Plan are:

A. Housing Development and Development Assistance, Partnership, and Support

This Project will provide incentives for the development of housing units and More Affordable Housing in the Plan Area. The development to be supported by this Project is a multi-unit apartment complex in the Area approved by the City of Bend under application number PLSPR20220465, as it may be modified, consistent with the goals of this Plan. Incentives may be in the form of either an annual tax increment reimbursement payment over a specified period and/or payment of City development fees associated with the proposed development project (i.e., system development charges) ("Assistance"). The form of Assistance for the Project will be determined through a development agreement with the developer of the housing that stipulates the amount and timing of the development and the amount and timing of the incentive.

BURA staff will conduct pre-development meetings with a developer of property within the Area to identify the financing needs of the site. Staff will recommend a financing package not to exceed the maximum indebtedness to the Agency that will contain recommendations on the appropriate length of incentive through negotiations with the developer for the development of the housing units. A development agreement, approved by the Agency will set out the method of providing the Assistance to the eligible project and a commitment by the developer owner for providing the required More Affordable Units. A guideline for the amount of Assistance is provided in the Report accompanying the Plan.

B. Plan Administration, Implementation, Reporting, and Support

The Agency may provide administration of the Plan including but not limited to staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation, and annual reports pursuant to ORS 457.460.

VII. AMENDMENTS TO PLAN

The Plan may be amended as described in this section.

A. Substantial Amendments

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan under ORS 457.095, including public involvement, consultation with taxing Areas, presentation to BURA, the Planning Commission, and adoption by the City Council by non-emergency ordinance after a hearing. Notice of such hearing shall be provided to individuals or households within the City, as required by ORS 457.120.

Substantial Amendments shall be processed in accordance with ORS 457.095 and 457.220.

Substantial Amendments are amendments that:

1. Add land to the Area, representing more than 1% of the existing Area of the Area;² or
2. Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.

B. Minor Amendments

Minor Amendments are amendments that are not Substantial Amendments as defined in this Plan and in ORS chapter 457. Minor Amendments require approval by BURA by resolution.

The projects proposed in the Plan and Report are organized by project categories. If BURA determines that the allocation of funds within a project category should be adjusted based on needs within the Area, they may do so through a Minor Amendment.³

VIII. PROPERTY ACQUISITION AND DISPOSITION

Property acquisition and disposition are not eligible activities under the Plan.

IX. RELOCATION METHODS

There are no persons living in or business situated in the Plan Area, therefore relocation is not part of this Plan.

² Unless otherwise permitted by state law, no land equal to more than 20 percent of the total land Area of the original Plan shall be added to the urban renewal Area by amendments, and the aggregate amount of all amendments increasing the maximum indebtedness may not exceed 20 percent of the Plan's initial maximum indebtedness, as adjusted, as provided by law, with increases beyond that amount requiring concurrence as stated in ORS 457.

³ Project costs may be impacted by grants, timing, cost savings, inflation, or other external forces unanticipated at this time but which may occur over the 32-year life of this Area.

X. TAX INCREMENT FINANCING OF PLAN

Tax increment financing consists of using annual tax increment revenues to make payments on debt, usually in the form of bank loans or revenue bonds, or contractual obligations for TIF projects under a TIF plan.

Tax increment revenues are the revenue received from increases in property taxes based on the *increase* in assessed value within a TIF Area over the total assessed value from the time a plan is adopted. Increment does not include property taxes levied to pay for General Obligation (GO) bonds and local option levies.

A. General description of the proposed financing method

The Plan will be financed using tax increment revenues. Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements, and indebtedness incurred in planning and undertaking project activities, and otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the planning and implementation of this Plan, including preparation of the Plan. No bonds will be issued to finance the activities in the Plan.

B. Tax increment financing

The Plan may be financed, in whole or in part, by tax increment revenues allocated to BURA, as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to BURA based upon the distribution schedule established under ORS 311.390.

Should a court of competent jurisdiction find any word, clause, sentence, section or part of this Plan to be invalid, the remaining words, clauses, sentences, sections or parts shall be unaffected by such findings and shall remain in full force and effect for the duration of this Plan.

XI. ANNUAL REPORT

BURA shall file an Annual Report in compliance with ORS 457.460.

XII. RELATIONSHIP TO LOCAL OBJECTIVES

ORS 457.085 requires that the Plan describe the relationship of the plan to definite local objectives regarding appropriate land uses and improved traffic, public transportation, public utilities, telecommunications utilities, recreational and community facilities and other public improvements. This section provides that analysis. Relevant local planning and development objectives are set out in the Bend Comprehensive Plan, Bend Economic Development Advisory Board Strategic Plan, and the Bend Development Code. This section describes the purpose and

intent of these plans, the main applicable goals and policies within each plan, and an explanation of how this Plan conforms to the applicable goals and policies.

The numbering of the goals and policies within this section reflects the numbering that occurs in the original document. The language from the original document is in *italics*.

All of the land in the Area is designated High Density Residential and Medium Density Residential in the Comprehensive Plan, and zoned High Density Residential (RH) and Medium Density Residential (RM) in the Bend Development Code. Allowed land uses, maximum densities, and building requirements for all land in the Area are governed by the Bend Development Code, as described in subsection C of this Section XIII.

A. Bend Comprehensive Plan

The analysis of how the Plan conforms to the Comprehensive Plan covers the most relevant sections, but may not cover every section of the Comprehensive Plan that relates to the Plan.

If the Comprehensive Plan policies identified in the Plan are updated in the future, this document will automatically incorporate those updates without the Plan having to be formally amended. If a Substantial Amendment is completed in the future, this section of the Plan should be updated at that point.

Below are applicable Comprehensive Plan policies and statements of how the Plan conforms to these Comprehensive Plan policies.

Chapter 1 Citizen Involvement

Policies

- 1-4 *The City and special Areas shall work toward the most efficient and economical method for providing their services within the UGB.*
- 1-7 *The City will encourage compact development and the integration of land uses within the Urban Growth Boundary to reduce trips, vehicle miles traveled, and facilitate non-automobile travel.*
- 1-15 *The City shall continue to use advisory committees in their planning process, members of which are selected by an open process, and who are widely representative of the community.*
- 1-16 *The City will use other mechanisms, such as, but not limited to, meetings with neighborhood groups, planning commission hearings, design workshops, and public forums, to provide an opportunity for all the citizens of the Area to participate in the planning process.*

Finding: The Plan conforms to Chapter 1 Citizen Involvement as there have been multiple opportunities for public involvement in the preparation of the Plan and all related BURA policies. The Plan and Project support compact development within the Urban Growth Boundary by supporting residential development in the RM and RH zones, near existing and

planned residential and planned commercial uses. The identified Project supports infill development on currently undeveloped lots within a generally undeveloped area. The Plan Area is within the Southeast Area, brought into the City's UGB in 2016. The Plan Area has not developed since that time, and was annexed into the Bend city limits in 2023.

Over twenty-five opportunities for public involvement were provided in the course of development of the Policy supporting this Plan. In this process, the Bend Economic Development Advisory Board, the Affordable Housing Advisory Committee, Core Area Advisory Board, the Bend Chamber of Commerce, Economic Development of Central Oregon, and a round table of housing developers provided input on development of the Policy supported by this Plan. Specific to public involvement in this Plan, BURA, the Planning Commission, and the City Council all held public meetings regarding this Plan, at which public comment was accepted, prior to the adoption of this TIF Plan and Report.

Chapter 5 Housing

Policies

- 5-7 *The City will continue to create incentives for and remove barriers to development of a variety of housing types in all residential zones, consistent with the density ranges and housing types allowed in the zones. This policy is intended to implement the City's obligation under the State Housing Goal to "encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density".*
- 5-18 *The City will assist in identifying, obtaining and leveraging funding sources for the development of new housing for very low, low, and moderate - income residents, as determined by appropriate percentages of Area Median Family income in the Housing Needs Assessment.*
- 5-31 *Residential Areas will offer a wide variety of housing types in locations best suited to a range of housing types, needs and preferences.*
- 5-38 *Medium-and high-density residential developments should have good access to transit, K-12 public schools where possible, commercial services, employment and public open space to provide the maximum access to the highest concentrations of population.*

Policy 5-20 defines affordable, in the case of dwelling units offered for rent, as housing for which the rent and utilities constitute no more than 30 percent of such gross annual household income for a family at 60% of the Area median income, based upon most recent HUD Income Limits for the Bend MSA. Policy 5-20 provides that other programs or policies can specify other levels of affordability.

Finding: The Plan conforms to Chapter 5 Housing as the Housing Development and Development Assistance, Partnership, and Support Project will encourage the development of housing for households earning 90% AMI or less, along with market rate units, meeting housing needs identified in the Oregon Housing Needs 2025 Methodology for the Bend UGB, supporting

the goals of the Comprehensive Plan and Policy 5-20 to provide affordability at additional income levels. The Area has access to K-12 public schools, and is in an area designated for commercial services, employment, and public open space. The Area is located near K-12 public schools and is in RM and RH zones. Properties to the west and north are zoned Low-Density Residential (RL) and developed with single-unit homes. Properties to the south and east are outside City limits, within the UGB, and designated Mixed Employment and General Commercial. The Area is within the area known as the Southeast Area, planned for significant urban levels of development, including a variety of housing types, K-12 public schools, commercial services, employment, and public open space.

Chapter 11: Growth Management

Employment Areas

- 11-1 The City will encourage compact development and the integration of land uses within the Urban Growth Boundary to reduce trips, vehicle miles traveled, and facilitate non-automobile travel.*
- 11-6 Medium and high-density residential development should have good access to transit, K-12 public schools where possible, commercial services, employment and public open space to provide the maximum access to highest concentrations of population.*
- 11-3 The City will ensure that development of large blocks of vacant land makes efficient use of land, meets the city's housing and employment needs, and enhances the community.*
- 11-23 The City will encourage development and redevelopment in commercial corridors that is transit-supportive and offers safe and convenient access and connections for all modes.*
- 11-94 This [Southeast] area, as identified in Figure 11-7, is intended to provide for employment uses to take advantage of good transportation access on Knott Road and 27th and existing city streets (and future improved access with the Murphy Extension) with a mix of residential uses providing a compatible transition from the employment lands to existing neighborhoods to the west. This mix of uses is also intended to increase the completeness of the existing low density neighborhoods.*
- 11-99 The street, path and bikeway network shall provide connectivity throughout this [Southeast] area, connect to existing abutting local roads, and provide opportunities for connections to adjacent undeveloped land inside the UGB. The transportation network shall be consistent with the Bend Transportation System Plan.*

Finding: The Plan conforms to Chapter 11 Growth Management as the Project encourages compact development and integration within the Urban Growth Boundary, makes efficient use of large blocks of vacant land that meets the City's housing needs, and offers access and connections for all modes in the Area. The development supported by this Plan abuts a new collector road along the east property line and is bisected by Via Sandia, a local road extended east to the intersection of the new north-south collector road, and will be required to make infrastructure improvements, including frontage and road construction, as set out in the Bend Development Code and the City's development approval.

B. Bend Economic Development Advisory Board Strategic Plan

The Bend Municipal Code requires the Bend Economic Development Advisory Board (BEDAB) to create a three-year strategic plan, identifying projects and guiding the work of the city's nine-member board as it seeks to:

- Advocate: Provide input into City policy and procedures from a private sector perspective.
- Facilitate: Broker entrepreneurial support among existing community resources.
- Market: Brand and guide marketing efforts of Bend as "Open for Business."
- Coordinate: Organize and oversee City resources applied to economic development.

The following goal and strategy from the 2022-2024 BEDAB Strategic Plan is directly related to the Plan.

Goal 2: Monitor and provide input on other relevant City policies relating to economic development

- *Support policies that provide for a spectrum of workforce housing opportunities*

Finding: The Plan conforms to the Bend Economic Development Advisory Board Strategic Plan as for the Project will create additional market-rate and 90% AMI or less housing units in the Area, supporting the Bend workforce.

A. Bend Development Code

The Projects in the Area supported by the Plan conform to the zoning in the Bend Development Code, including maximum densities and building requirements, and those provisions of the Bend Development Code are incorporated by reference herein. The Area is zoned RM and RH. Multi-unit residential development is a permitted use in the RM and RH zones. The proposed club house is accessory to the residential use.

As the Bend Development Code is updated, the references to the Bend Development Code in this document will be deemed to incorporate those updates without the Plan having to be formally amended. If a Substantial Amendment to this Plan is completed in the future, this section will be updated to match the current zoning designations. The provisions of the Bend Development Code in effect at the time of development approval will apply for any development assisted by this Plan.

B.2 – Residential Areas

Bend Development Code Section 2.1.100 Purpose and Applicability

High Density Residential (RH) - The High Density Residential Area is intended to provide land for primarily high-density multi-unit residential in locations close to shopping and services,

transportation and public open space and to provide a transitional use Area between other Residential Areas and other less restrictive Areas.

Median Density Residential (RM) - The Medium Density Residential District is intended to provide primarily for the development of multi-unit residential in areas where sewer and water service are available. The residential density range in the district is 7.3 to 21.7 units per gross acre and must provide a transitional use area between other Residential Districts and other less restrictive areas.

Finding: The Plan conforms to the Bend Development Code as the Projects and expenditures proposed in the Plan conform to the requirements in the Bend Development Code and support the types of uses allowed in the zoning present in the Area. The Project will support development of a multi-unit apartment complex that the City has approved under application number PLSPR20220465. This development has been required to comply with the provisions of BDC Chapter 3.4, Public Improvement Standards, and other provisions of the Bend Development Code to provide sufficient public infrastructure to serve the development. The proposal includes the build-out of an undeveloped site, in an undeveloped area.

XIII. PLAN AREA LEGAL DESCRIPTION

Lots 3 and 4, and Tracts A through G, inclusive, Ferguson Village, City of Bend, Deschutes County.